

**AMENDMENT BY MRS. MALONEY OF NEW YORK**  
**TO THE AMENDMENT IN THE NATURE OF A**  
**SUBSTITUTE TO H.R. 5005**

Page 18, after line 14, insert the following:

1           (5) Promulgating guidelines regarding the  
2           health risks of short-, medium-, or long-term expo-  
3           sure to acutely or sub-actuely toxic chemicals, bio-  
4           logical, and radioactive materials that may be re-  
5           leased into the environment as a consequence of a  
6           major disaster that the Secretary determines con-  
7           stitutes a homeland security event under section  
8           1001. The Director of the Centers for Disease Con-  
9           trol and Prevention shall provide the Under Sec-  
10          retary with such information and analysis as may be  
11          necessary for the Under Secretary to promulgate  
12          guidelines under this section in the case of biological  
13          materials.

14          (6) Providing for standardized and rapid data  
15          collection and analysis and communication regarding  
16          environmental risks following any major disaster  
17          that the Secretary determines constitutes a home-  
18          land security event under section 1001, in coordina-  
19          tion with the Administrator of the Environmental  
20          Protection Agency or the Director of the Centers for

1       Disease Control and Prevention (in the case of a re-  
2       lease of biological agents) to coordinate all data col-  
3       lection and monitoring and dissemination of analysis  
4       regarding the release of pollutants and contaminants  
5       (including biological agents) into the environment by  
6       reason of any such disaster.

7               (7)(A) Providing awards of grants, contracts,  
8       and cooperative agreements in consultation with the  
9       Secretary of Health and Human Services to public  
10      and nonprofit private entities for the purpose of col-  
11      lecting public health data during and in the after-  
12      math of public health emergencies, and conducting  
13      research with respect to such data, in order to de-  
14      velop medical therapies and other public health  
15      strategies for assisting victims of such emergencies  
16      in recovering from the emergencies; and

17              (B) Providing for the approval of applications  
18      for awards under subparagraph (A) in advance of  
19      public health emergencies in order that, upon the oc-  
20      currence of such an emergency, the Under Secretary  
21      can promptly begin disbursing amounts from the  
22      awards and the recipients of the awards can prompt-  
23      ly begin carrying out the purpose described in sub-  
24      section (a).

Page 52, after line 21, insert the following:

1 **TITLE X—ADDITIONAL RESPON-**  
2 **SIBILITIES OF SECRETARY**

3 **SEC. 1001. HOMELAND SECURITY EVENTS.**

4 (a) IN GENERAL.—At the request of the Governor  
5 of the affected State, the Secretary may declare that a  
6 major disaster constitutes a homeland security event for  
7 the purposes of this section. Such a request shall be based  
8 on a finding that Federal assistance is necessary because  
9 the event poses a significant risk to the security of the  
10 people and property of the Nation and is of such severity  
11 and magnitude that effective response is beyond the capa-  
12 bility of the effected State and local government.

13 (b) FEDERAL ASSISTANCE.—In any homeland secu-  
14 rity event, in addition to providing other assistance made  
15 available under title IV of the Robert T. Stafford Disaster  
16 Relief and Emergency Assistance Act (42 U.S.C. 5170 et  
17 seq.) in a major disaster, the Secretary may—

18 (1) establish a coordinating office and appoint  
19 a disaster recovery director—

20 (A) to work with and coordinate efforts  
21 with the Federal coordinating officer appointed  
22 under section 302 of such Act;

23 (B) to oversee and coordinate the timely  
24 distribution of Federal compensation to persons  
25 injured in such disaster;

1 (C) develop methods to expedite claims for  
2 relief and assistance by individuals and busi-  
3 nesses;

4 (D) coordinate long-term recovery efforts  
5 with State and local authorities; and

6 (E) work with Federal agencies to develop  
7 more effective methods to assist affected par-  
8 ties;

9 (2) require that if an office described in para-  
10 graph (1) is established, the disaster recovery  
11 director—

12 (A) shall consult with local officials in devel-  
13 oping a recovery plan; and

14 (B) may appoint an independent claims man-  
15 ager to assist in providing assistance;

16 (3) in any case in which a Federal official  
17 issues a high security alert after a homeland security  
18 event, provide technical assistance and reimburse-  
19 ment to State and local governments in the disaster  
20 area for expenses incurred related to such alert, in-  
21 cluding overtime for law enforcement officers for a  
22 period of time that the Secretary determines is nec-  
23 essary;

1           (4) provide grants to a local government which  
2           may suffer a substantial loss of tax and other reve-  
3           nues;

4           (5) authorize reimbursement to a school system  
5           for—

6                   (A) providing additional classroom instruc-  
7                   tion time and related activities to students who  
8                   lost instructional time as a result of the home-  
9                   land security event;

10                   (B) providing mental health and trauma  
11                   counseling and other appropriate support serv-  
12                   ices to students suffering from trauma-related  
13                   disorders resulting from the homeland security  
14                   event;

15                   (C) providing guidance and grief coun-  
16                   seling and mental health services, including  
17                   overtime payment for counselors and mental  
18                   health professionals, for students and school  
19                   staff;

20                   (D) clean up and structural inspections  
21                   and repairs of school facilities;

22                   (E) textbooks and other school supplies  
23                   and equipment used to support the relocation of  
24                   students from schools in the disaster area;

1 (F) the cost of relocating students, includ-  
2 ing transportation of students to temporary  
3 school facilities; and

4 (G) loss of perishable food stock and rev-  
5 enue lost from food services; and

6 (6) provide grants, equipment, supplies, and  
7 personnel, to any non-profit medical facility that  
8 has—

9 (A) lost equipment or revenue due to a  
10 major disaster;

11 (B) incurred additional costs for security  
12 enhancements in anticipation of a homeland se-  
13 curity event;

14 (C) purchased emergency supplies, medi-  
15 cine, or equipment, or contracted with medical  
16 specialists, in order to respond to casualties ex-  
17 pected to be treated as a result of a major dis-  
18 aster; or

19 (D) complied with Federal and state re-  
20 quirements concerning maintenance of health  
21 service treatment procedures (such as dialysis  
22 facilities) that may not be used as a result of  
23 a major disaster;

24 (7) Provide reimbursement to for-profit tele-  
25 communications and phone services and for-profit

1 utilities (including power, water (including water  
2 provided by an irrigation organization or facility),  
3 sewer, and wastewater treatment) except that these  
4 for-profit entities shall be reimbursed only for struc-  
5 tures and property losses that occur during a home-  
6 land security event if such losses are not covered by  
7 such entity's insurance policies: and

8 (8) authorize testing of indoor air quality  
9 deemed necessary by the Under Secretary for Chem-  
10 ical, Biological, Radiological, and Nuclear Counter-  
11 measures and to undertake such remedial actions as  
12 may be necessary, in the discretion of the Under  
13 Secretary, to protect human health and safety from  
14 the contamination of indoor air quality following any  
15 such event.

16 **SEC. 1002. STANDARDS AND REPORTING.**

17 The Director of the Office of Management and Budg-  
18 et shall—

19 (1) establish standards for reporting informa-  
20 tion regarding disaster efforts made by each agency  
21 that assists in providing relief in a disaster that the  
22 Secretary has determined constitutes a homeland se-  
23 curity event under section 1001;

24 (2) collect data from each such agency regard-  
25 ing the efforts of such agency for each major dis-

1        aster described in paragraph (1) not less than once  
2        each year;

3            (3) report such data to the appropriate commit-  
4        tees of Congress annually.

5   **SEC. 1003. SPECIAL COMMISSION TO REVIEW AIR QUALITY.**

6        The Secretary shall appoint a special commission to  
7        undertake a study of the authorities available to the Envi-  
8        ronmental Protection Agency following a major disaster  
9        that the Secretary determines constitutes a homeland se-  
10       curity event under section 1001, particularly a terrorist  
11       attack using chemical, biological, or nuclear weapons. The  
12       Commission shall examine the agency's authorities to—

13            (1) monitor the environment,

14            (2) evaluate health risks associated with air pol-  
15        lutants that may be released into the environment as  
16        result of such a disaster; and

17            (3) communicate with affected communities and  
18        first responders.

19        The Commission shall submit a report to the Secretary  
20        and to the Congress containing the results of such study  
21        and including any recommendations of the special commis-  
22        sion regarding the clarification and recommendation of  
23        Environmental Protection Agency authorities in such situ-  
24        ations.